MARLIN & SALTZMAN, LLP 1 Christina A. Humphrey, Esq. (SBN 226326) 2 Leslie H. Joyner, Esq. (SBN 262705) 29229 Canwood Street, Suite 208 Agoura Hills, California 91301 3 Telephone: (818) 991-8080 4 Facsimile: (818) 991-8081 chumphrey@marlinsaltzman.com 5 ljovner@marlinsaltzman.com Attorneys for Plaintiffs 6 7 UNITED STATES DISTRICT COURT 8 WESTERN DISTRICT OF TENNESSEE 9 10 SALVADOR ROBLES; JORGE AVALOS CASE NO. 2:15-cv-02228-SHM-TMP and JOSE MARQUEZ, individually and on 11 behalf of others similarly situated, [CLASS ACTION] 12 NOTICE OF SUPPLEMENTAL Plaintiffs, AUTHORITY IN SUPPORT OF 13 PLAINTIFFS' OPPOSITION TO 14 **DEFENDANT'S MOTIONS TO DISMISS** COMTRAK LOGISTICS, INC., a Delaware FIRST AMENDED COMPLAINT 15 corporation; and DOES 1 through 10, inclusive. 16 17 Defendants. 18 19

NOTICE OF SUPPLEMENTAL AUTHORITY

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Plaintiffs Salvador Robles, Jorge Avalos, and Jose Marquez hereby bring to the Court's attention the recent denial of petition for writ of certiorari of the United States Supreme Court in Oakland Port Services Corp. v. Godfrey et. al., – S.Ct. ---, 2015 WL 3658387, (October 13, 2015) attached as Exhibit A, along with the California's Court of Appeal's decision in Godfrey v. Oakland Port Services Corp., 230 Cal.App.4th 1267 (2014). The decision of the California Court of Appeals holding that the Federal Aviation Administration Authorization Act does not preempt California law governing meal and rest breaks as applied to motor carriers, and the U.S. Supreme Court's denial of cert. thereon, support Plaintiffs' arguments in their Opposition to Defendant's